



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	2222/5
<b>Duration of Permit:</b>	From 26 April 2008 to 31 October 2035
<b>Permit Holder:</b>	BHP Billiton Nickel West Pty Ltd

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

### **PART I - CLEARING AUTHORISED**

**1. Land on which clearing is to be done**

*Nickel (Agnew) Agreement Act 1974*, Mineral Lease 255SA (AML 70/255)  
Mining Lease 36/243  
Miscellaneous Licence 36/53

**2. Purpose for which clearing may be done**

Clearing for the purposes of mineral exploration, mine maintenance, infrastructure works, and the reactivation of a tailings storage facility.

**3. Area of Clearing**

The Permit Holder must not clear more than 400 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 2222/5.

**4. Period in which clearing is authorised**

The Permit Holder shall not clear any native vegetation after 31 October 2025.

**5. Application**

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

### **PART II - MANAGEMENT CONDITIONS**

**6. Avoid, minimise and reduce the impacts and extent of clearing**

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

## 7. Weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

## 8. Flora Management

Where *Sauropus* sp. Woolgorong, *Phyllanthus baeckeoides*, *Thryptomene nealensis* and *Calytrix erosipetala* have been identified and their written locations provided to the *CEO* in the report titled 'Flora and Vegetation Assessment of the Clearing Permit Application Area at Leinster Nickel Operations – October 2007', as retained on DMIRS file A1730/201501, the permit holder shall ensure:

- (a) no clearing of identified *Sauropus* sp. Woolgorong, *Phyllanthus baeckeoides*, *Thryptomene nealensis* and *Calytrix erosipetala* when conducting mineral exploration; and
- (b) no clearing occurs within 10 metres of identified *Sauropus* sp. Woolgorong, *Phyllanthus baeckeoides*, *Thryptomene nealensis* and *Calytrix erosipetala* when conducting mineral exploration unless approved by the *CEO*.

## 9. Vegetation Management

The permit holder shall not clear native vegetation within 50 metres of a *break-away* or within 10 metres of *drainage lines* when conducting exploration activities.

## 10. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared;
- (b) within six months following completion of clearing authorised under this Permit, *revegetate* and *rehabilitate* the areas that are no longer required for the purpose for which they were cleared under this Permit by:
  - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;
  - (ii) ripping the ground on the contour to remove soil compaction; and
  - (iii) laying the vegetative material and topsoil retained under Condition 10(a) on the cleared area.
- (c) within nine years of undertaking *revegetation* and *rehabilitation* in accordance with Condition 10(b) of this Permit:
  - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
  - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under Condition 10(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.

## **PART III - RECORD KEEPING AND REPORTING**

### **11. Records to be kept**

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
  - (i) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
  - (ii) the date that the area was cleared;
  - (iii) the size of the area cleared (in hectares); and
  - (iv) purpose for which clearing was undertaken.
- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to Condition 10 of this Permit:
  - (i) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
  - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken; and
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares).
- (c) actions taken to avoid, minimise and reduce the impacts and the extent of clearing in accordance with Condition 6 of this Permit; and
- (d) actions taken to minimise the introduction and spread of *weeds* in accordance with Condition 7 of this Permit.

### **12. Reporting**

- (a) The Permit Holder shall provide a report to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety by 31 October each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and setting out the records required under Condition 11 of this Permit in relation to clearing carried out between 1 August and 31 July of the previous financial year.
- (b) Prior to 31 October 2035, the Permit Holder must provide to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety a written report of records required under Condition 11 of this Permit where these records have not already been provided under Condition 12(a) of this Permit.

### **DEFINITIONS**

The following meanings are given to terms used in this Permit:

*break-away* means an erosion front in which highly weathered saprolite, capped by a duricrust of ferricrete, silcrete or calcrete is eroded by lateral retreat;

*CEO* means the Chief Executive Officer of the Department of Water and Environmental Regulation or an officer with delegated authority under Section 20 of the *Environmental Protection Act 1986*;

*direct seeding* means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

*drainage line/s* means an area within the landscape which is a focus for surface water through flow;

*environmental specialist* means a person who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit, or who is approved by the *CEO* as a suitable environmental specialist;

*fill* means material used to increase the ground level, or fill a hollow;

*local provenance* means native vegetation seeds and propagating material from natural sources within 200 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion of the area cleared;

*mulch* means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

*planting* means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

*regeneration* means *revegetation* that can be established from in situ seed banks contained either within the topsoil or seed-bearing *mulch*;

*rehabilitate/ed/ion* means actively managing an area containing native vegetation in order to improve the ecological function of that area;

*revegetate/ed/ion* means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

*weed/s* means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



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Dan Endacott  
General Manager Environmental Compliance  
Resource and Environmental Compliance Division  
02 April 2020

Officer with delegated authority under Section 20  
of the *Environmental Protection Act 1986*